

(c) *Procedure for closing meetings under this section.* At the beginning of a meeting or portion of a meeting that is to be closed under this section, the Board may, by recorded vote of two of its members, decide to close the meeting or a portion of it to public observation. The Board may take this action, however, only after it receives a certification by the General Counsel under § 1206.6(b) of this part.

(d) *Record Availability.* When the Board has closed a meeting or portion of a meeting under this paragraph, it will make the following available as soon as practicable:

(1) A written record reflecting the vote of each participating member of the Board with respect to closing the meeting; and

(2) The General Counsel certification under § 1206.6(b).

- 1207.102 Application.
- 1207.103 Definitions.
- 1207.104–1207.109 [Reserved]
- 1207.110 Notice.
- 1207.111–1207.119 [Reserved]
- 1207.120 General prohibitions against discrimination.
- 1207.121–1207.129 [Reserved]
- 1207.130 Employment.
- 1207.131–1207.139 [Reserved]
- 1207.140 Program accessibility: Discrimination prohibited.
- 1207.141–1207.149 [Reserved]
- 1207.150 Program accessibility: Existing facilities.
- 1207.151 Program accessibility: New construction and alterations.
- 1207.152–1207.159 [Reserved]
- 1207.160 Communications.
- 1207.161–1207.169 [Reserved]
- 1207.170 Compliance procedures.
- 1207.171–1207.999 [Reserved]

AUTHORITY: 29 U.S.C. 794.

SOURCE: 70 FR 24293, May 9, 2005, unless otherwise noted.

Subpart C—Conduct of Meetings

§ 1207.101 Purpose.

§ 1206.11 Meeting place.

The Board will hold open meetings in meeting rooms designated in the public announcements of those meetings. Whenever the number of observers is greater than can be accommodated in the designated meeting room, however, it will make alternative facilities available to the extent possible.

The purpose of this part is to effectuate section 119 of the Rehabilitation, Comprehensive Services, and Developmental Disabilities Amendments of 1978, which amended section 504 of the Rehabilitation Act of 1973 to prohibit discrimination on the basis of disability in programs or activities conducted by Executive agencies or the United States Postal Service.

§ 1206.12 Role of observers.

§ 1207.102 Application.

The public may attend open meetings for the sole purpose of observation. Observers may not participate in the meetings unless they are expressly invited to do so. They also may not create distractions that interfere with the conduct and disposition of Board business, and they may be asked to leave if they do so. Observers of meetings that are partially closed must leave the meeting room when they are asked to do so.

This part applies to all programs or activities conducted by the agency, except for programs or activities conducted outside the United States that do not involve individuals with disabilities in the United States.

PART 1207—ENFORCEMENT OF NONDISCRIMINATION ON THE BASIS OF DISABILITY IN PROGRAMS OR ACTIVITIES CONDUCTED BY THE MERIT SYSTEMS PROTECTION BOARD

§ 1207.103 Definitions.

(a) *Assistant Attorney General* means the Assistant Attorney General, Civil Rights Division, United States Department of Justice.

(b) *Auxiliary aids* means services or devices that enable persons with impaired sensory, manual, or speaking skills to have an equal opportunity to participate in, and enjoy the benefits of, programs or activities conducted by the agency. For example, auxiliary aids useful for persons with impaired vision include readers, Brailled materials, audio recordings, and other similar

Sec.
1207.101 Purpose.